

AMENDED IN ASSEMBLY AUGUST 17, 2004

AMENDED IN ASSEMBLY JULY 23, 2004

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AMENDED IN SENATE APRIL 22, 2004

SENATE BILL

No. 1084

Introduced by Senator Torlakson

(Coauthor: Senator Chesbro)

(Coauthors: Assembly Members ~~Leno and Nation~~ Berg, Laird, Leno, Nation, Pavley, and Yee)

January 5, 2004

An act *to amend Section 97.1 of*, to add Section 97.2 to, and to add and repeal Section 97 of, the Streets and Highway Code, and to add Section 42010 to the Vehicle Code, relating to highways.

LEGISLATIVE COUNSEL'S DIGEST

SB 1084, as amended, Torlakson. Highways: Safety Enhancement-Double Fine Zones.

Under existing law, until January 1, 2006, the segment of State Highway Route 101 between the Eureka Slough Bridge and the Gannon Slough Bridge in Arcata is designated a Safety Enhancement-Double Fine Zone.

This bill; *would extend that designation* until January 1, 2008, *and would also until that date*, designate as Safety Enhancement-Double Fine Zones ~~the segment of Vasco Road between the Interstate 580~~

~~junction in Alameda County and the Walnut Boulevard intersection in Contra Costa County, and certain road segments in Alameda County and Contra Costa Counties, upon approval of local resolutions designating them as such, and various other segments of specified state highways, subject to certain requirements.~~ The bill would also permanently designate the Golden Gate Bridge as a Safety Enhancement-Double Fine Zone, upon approval of a similar local resolution. The bill would, ~~thus,~~ subject all of the segments to ~~provisions requiring~~ increased fines for traffic violations in a Safety Enhancement-Double Fine Zone.

The bill would require the department to adopt regulations for the administration of “Safety Enhancement-Double Fine Zones,” including uniform warning sign standards. The bill would require the department or a local authority having jurisdiction over the highway designated as a “Safety Enhancement-Double Fine Zone” to place and maintain the warning signs.

Because it would place a new duty on some local agencies, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 97 is added to the Streets and Highways
- 2 Code, to read:
- 3 97. The following highway segments are Safety
- 4 Enhancement-Double Fine Zones:
- 5 (a) (1) Upon approval of a resolution designating it as a Safety
- 6 Enhancement-Double Fine Zone by the Alameda and Contra
- 7 Costa County Boards of Supervisors, the segment of county
- 8 highway known as Vasco Road, between the Interstate 580
- 9 junction in Alameda County and the Walnut Boulevard
- 10 intersection in Contra Costa County.

(2) Any of the following segments located within the County of Alameda upon approval of a resolution by the Alameda County Board of Supervisors designating the segment a Safety Enhancement-Double Fine Zone:

(A) Grant Line Road between the Interstate 580 junction and the San Joaquin County line.

(B) Patterson Pass Road between the Greenville Road intersection and the San Joaquin County line.

(C) North Livermore Avenue between the Interstate 580 junction and the Manning Road intersection.

(D) Mountain House Road between Grant Line Road and Byron-Bethany Road.

(3) *The segment of State Highway Route 1 between Chestnut Street and Shaffer Road in the City of Santa Cruz.*

(4) *The segment of County Road 16, also known as Carmel Valley Road, between its junction with State Highway Route 1 and its junction with Camp Stefani Road. The County of Monterey, in consultation with the Department of the California Highway Patrol, shall administer this zone and shall assume all responsibilities that would otherwise accrue to the department for the administration of the zone.*

(5) *The segment of State Highway Route 101 between its junction with Boronda Road and the San Benito-Monterey County line.*

(6) *The segment of State Highway Route 1 in the City and County of San Francisco between its intersection with 19th Avenue and Junipero/Serra Boulevard and its intersection with Lake Street.*

(7) *The segment of the Pacific Coast Highway between its intersection with Topanga Canyon Boulevard and its intersection with Decker Canyon Road.*

~~The~~

(b) The applicable local agency, in consultation with the department, shall assume all responsibilities that would otherwise accrue to the department for the administration of the Safety Enhancement-Double Fine Zones designated pursuant to this section.

~~(b)~~

(c) The Safety Enhancement-Double Fine Zones described in subdivision (a) are subject to the rules and regulations adopted by

1 the department prescribing uniform standards for warning signs to
2 notify motorists that, pursuant to Section 42010 of the Vehicle
3 Code, increased penalties apply for traffic violations that are
4 committed within a Safety Enhancement-Double Fine Zone. The
5 department or the local authority having jurisdiction over this
6 highway segment shall place and maintain the warning signs
7 identifying this highway by stating that a “Special Safety Zone
8 Region Begins Here” and a “Special Safety Zone Ends Here.”

9 ~~(e)~~

10 (d) Designation of the highway segments in subdivision (a) as
11 Safety Enhancement-Double Fine Zones does not increase the
12 civil liability of the state or local authority having jurisdiction over
13 the highway segment under Division 3.6 (commencing with
14 Section 810) of Title 1 of the Government Code or any other
15 provision of law relating to civil liability.

16 ~~(d)~~

17 (e) (1) Only the base fine shall be enhanced pursuant to this
18 section.

19 (2) Notwithstanding any other provision of law, any additional
20 penalty, forfeiture, or assessment imposed by any other statute
21 shall be based on the amount of the base fine before enhancement
22 or doubling and shall not be based on the amount of the enhanced
23 fine imposed pursuant to this section.

24 ~~(e)~~

25 (f) The projects specified in subdivision (a) shall not be
26 elevated in priority for state funding purposes.

27 ~~(f)~~

28 (g) This section shall remain in effect only until January 1,
29 2008, and as of that date is repealed, unless a later enacted statute,
30 that is enacted before January 1, 2008, deletes or extends that date.

31 SEC. 2. *Section 97.1 of the Streets and Highways Code is*
32 *amended to read:*

33 97.1. (a) The five-mile segment of State Highway Route 101,
34 between the Eureka Slough Bridge No. 4-22 and the Gannon
35 Slough Bridge No. 4-24 in Arcata is a “~~Safety~~ *Safety*
36 ~~Enhancement-Double Fine Zone.~~” ~~This highway segment is~~
37 ~~subject to the rules and regulations adopted by the department~~
38 ~~prescribing uniform standards for warning signs to notify~~
39 ~~motorists that, pursuant to Section 42010 of the Vehicle Code,~~
40 ~~increased penalties apply for traffic violations that are committed~~

1 ~~within a Safety Enhancement-Double Fine Zone. The department~~
2 ~~or the local authority having jurisdiction over this highway~~
3 ~~segment shall place and maintain the warning signs identifying~~
4 ~~this highway by stating that a “Special Safety Zone Region Begins~~
5 ~~Here” and a “Special Safety Zone Ends Here.”~~

6 ~~(b) Designation of this highway segment as a Safety~~
7 ~~Enhancement Double Fine Zone does not increase the civil~~
8 ~~liability of the state under Division 3.6 (commencing with Section~~
9 ~~810) of Title 1 of the Government Code or any other provision of~~
10 ~~law relating to civil liability.~~

11 ~~(c) (1) Only the base fine shall be enhanced pursuant to this~~
12 ~~section.~~

13 ~~(2) Notwithstanding any other provision of law, any additional~~
14 ~~penalty, forfeiture, or assessment imposed by any other statute~~
15 ~~shall be based on the amount of the base fine before enhancement~~
16 ~~or doubling and shall not be based on the amount of the enhanced~~
17 ~~fine imposed pursuant to this section.~~

18 ~~(d) The project specified in subdivision (a) shall not be elevated~~
19 ~~in priority for state funding purposes.~~

20 ~~(e) Zone.~~

21 ~~(b) This section shall remain in effect only until January 1,~~
22 ~~2006 2008, and as of that date is repealed, unless a later enacted~~
23 ~~statute, which is enacted before January 1, 2006 2008, deletes or~~
24 ~~extends that date.~~

25 *SEC. 3.* Section 97.2 is added to the Streets and Highways
26 Code, to read:

27 97.2. (a) The 1.73-mile segment that is the Golden Gate
28 Bridge shall be a Safety Enhancement-Double Fine Zone upon
29 approval of a resolution designating it as such by the Golden Gate
30 Bridge, Highway and Transportation District. The district, in
31 consultation with the department, shall assume all responsibilities
32 that would otherwise accrue to the department for the
33 administration of the Safety Enhancement-Double Fine Zone
34 designated pursuant to this section.

35 (b) The Safety Enhancement-Double Fine Zone described in
36 subdivision (a) is subject to the rules and regulations adopted by
37 the department prescribing uniform standards for warning signs to
38 notify motorists that, pursuant to Section 42010 of the Vehicle
39 Code, increased penalties apply for traffic violations that are
40 committed within a Safety Enhancement-Double Fine Zone. The

1 local authority having jurisdiction over this segment shall place
2 and maintain the warning signs identifying this segment by stating
3 that a “Special Safety Zone Region Begins Here” and a “Special
4 Safety Zone Ends Here.”

5 (c) Designation of the segment in subdivision (a) as a Safety
6 Enhancement-Double Fine Zone does not increase the civil
7 liability of the state or local authority having jurisdiction over the
8 segment under Division 3.6 (commencing with Section 810) of
9 Title 1 of the Government Code or any other provision of law
10 relating to civil liability.

11 (d) (1) Only the base fine shall be enhanced pursuant to this
12 section.

13 (2) Notwithstanding any other provision of law, any additional
14 penalty, forfeiture, or assessment imposed by any other statute
15 shall be based on the amount of the base fine before enhancement
16 or doubling and shall not be based on the amount of the enhanced
17 fine imposed pursuant to this section.

18 (e) The project specified in subdivision (a), if eligible for state
19 funding, shall not be elevated in priority for state funding
20 purposes.

21 ~~SEC. 3.~~

22 *SEC. 4.* Section 42010 is added to the Vehicle Code, to read:

23 42010. (a) For any offense specified in subdivision (b) that is
24 committed by the driver of a vehicle within an area that has been
25 designated as a Safety Enhancement-Double Fine Zone pursuant
26 to subdivision (a) of Section 97 of the Streets and Highways Code,
27 subdivision (a) of Section 97.1 of the Streets and Highways Code,
28 or subdivision (a) of Section 97.2 of the Streets and Highways
29 Code, the fine, in a misdemeanor case, shall be double the amount
30 otherwise prescribed, and, in an infraction case, the fine shall be
31 one category higher than the penalty otherwise prescribed by the
32 uniform traffic penalty schedule established pursuant to Section
33 40310.

34 (b) A violation of any of the following provisions is an offense
35 that is subject to subdivision (a):

36 (1) Chapter 3 (commencing with Section 21650) of Division
37 11, relating to driving, overtaking, and passing.

38 (2) Chapter 7 (commencing with Section 22348) of Division
39 11, relating to speed limits.

40 (3) Section 23103, relating to reckless driving.

(4) Section 23104, relating to reckless driving that results in bodily injury to another.

(5) Section 23109, relating to speed contests.

(6) Section 23152, relating to driving under the influence of alcohol or a controlled substance, or a violation of Section 23103, as specified in Section 23103.5, relating to alcohol-related reckless driving.

(7) Section 23153, relating to driving under the influence of alcohol or a controlled substance, which results in bodily injury to another.

(8) Section 23220, relating to drinking while driving.

(9) Section 23221, relating to drinking in a motor vehicle while on the highway.

(10) Section 23222, relating to driving while possessing an open alcoholic beverage container.

(11) Section 23223, relating to being in a vehicle on the highway while possessing an open alcoholic beverage container.

(12) Section 23224, relating to being a driver or passenger under the age of 21 possessing an open alcoholic beverage container.

(13) Section 23225, relating to being the owner or driver of a vehicle in which there is an open alcoholic beverage container.

(14) Section 23226, relating to being a passenger in a vehicle in which there is an open alcoholic beverage container.

(c) This section applies only when traffic controls or warning signs have been placed pursuant to Section 97, 97.1, or 97.2 of the Streets and Highways Code.

(d) (1) Notwithstanding any other provision of law, the enhanced fine imposed pursuant to this section shall be based only on the base fine imposed for the underlying offense and shall not include any other enhancements imposed pursuant to law.

(2) Notwithstanding any other provision of law, any additional penalty, forfeiture, or assessment imposed by any other statute shall be based on the amount of the base fine before enhancement or doubling and shall not be based on the amount of the enhanced fine imposed pursuant to this section.

SEC. 5. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district are the result of a program for which legislative authority

1 *was requested by that local agency or school district, within the*
2 *meaning of Section 17556 of the Government Code and Section 6*
3 *of Article XIII B of the California Constitution.*

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